

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

## **ENTRY FOR SEPTEMBER 10, 2024**

On this date, Defendant Quintez Tucker (01) appeared in person and by counsel, Denise Turner, for sentencing. The Government appeared by counsel, Jeremy Fugate, with its investigative agent Austin Arndt. Gerald Smith appeared on behalf of the United States Probation Office. The hearing was recorded by Court Reporter, Erin Materkowsky.

A copy of the Presentence Report was given to the defendant by Probation for his use and reference during the sentencing hearing, pursuant to Crim. R. Proc 32(e)(2). The defendant confirmed receipt of the presentence report prior to the minimum 35-day period referenced in Rule 32(e)(2). The parties were heard with respect to the sentence and application of the Sentencing Guidelines.

Pursuant to the Sentencing Reform Act of 1984, Sentence was imposed as stated on the record, including:

- Special Assessment: \$1,200.00
- Incarceration: Counts 2, 4, 6, 8, 10, 12, 14 and 16 - 24 months per count concurrent. Counts 3, 5, 7, and 9 – 84 months per count consecutive for a total of 360 months. The Court recommends placement where recommended programming is offered. The Court further recommends participation in programs BRAVE, Post-Secondary Education, Occupational Education, Social Skills Training, Federal Prison Industries,

Vocational Training, Parenting Program, Mental Health Step Down Unit and the Resolve Program.

- Supervised Release: Counts 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14 and 16 - 3 years per count, concurrent.
- Fine: \$0.00
- Restitution: \$64,894.00 (see below)
- Forfeiture: One Rifle Mossberg 715T, bearing serial number EMC3686379; all seized ammunition; and \$411 in United States currency.

By reference to the PSR, the Court advised the Defendant that while he is on supervised release, he is to comply with the following conditions:

- You shall not commit another federal, state, or local crime.
- You shall cooperate with the collection of a DNA sample.
- You shall refrain from any unlawful use of a controlled substance and shall submit to one drug test within 15 days of placement on supervised release and two periodic tests thereafter, as directed by the probation officer.
- You shall report to the probation office in the federal judicial district to which you are released within 72 hours of release from the custody of the Bureau of Prisons.
- You shall report to the probation officer in a manner and frequency directed by the court or probation officer.
- You shall permit a probation officer to visit you at a reasonable time at home, or another place where the officer may legitimately enter by right or consent, and shall permit confiscation of any contraband observed in plain view of the probation officer.
- You shall not knowingly leave the federal judicial district where you are being supervised without the permission of the supervising court/probation officer.
- You shall answer truthfully the inquiries by the probation officer, subject to your 5<sup>th</sup> Amendment privilege.
- You shall not meet, communicate, or otherwise interact with a person you know to be engaged, or planning to be engaged, in a criminal activity. You shall report any contact with persons you know to be convicted felons to your probation officer with 72 hours of the contact.

- You shall reside at a location approved by the probation officer and shall notify the probation officer at least 72 hours prior to any planned change in place or circumstances of residence or employment (including, but not limited to, changes in residence occupants, job positions, job responsibilities). When prior notification is not possible, you shall notify the probation officer within 72 hours of the change.
- You shall not own, possess, or have access to a firearm, ammunition, destructive device or dangerous weapon.
- You shall notify the probation officer within 72 hours of being arrested, charged or questioned by a law enforcement officer.
- You shall maintain lawful full-time employment, unless excused by the probation officer for schooling, vocational training, or other reasons that prevent lawful employment.
- You shall make a good faith effort to follow instructions of the probation officer necessary to ensure compliance with the conditions of supervision.
- You shall not use or possess any controlled substance prohibited by applicable state or federal law unless authorized to do so by a valid prescription from a licensed medical practitioner. You shall follow the prescription instructions frequency and dosage.
- You shall not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances (e.g., synthetic marijuana, bath salts, Spice, glue, etc.) that impair a person's physical or mental functioning, whether or not intended for human consumption.
- You shall submit to substance abuse testing to determine if you have used a prohibited substance or to determine compliance with substance abuse treatment. Testing may include no more than eight drug tests per month. You shall not attempt to obstruct or tamper with the testing methods.
- You shall participate in a mental health treatment program, as approved by the probation officer, and abide by the rules and regulations of that program. The probation officer, in consultation with the treatment provider, shall supervise participation in the program (provider, location, modality, duration, intensity, etc.). You shall take all mental health medications that are prescribed by your treating physician. The Court authorizes the release of the presentence report and available evaluations to the treatment provider, as approved by the probation officer.

- You shall provide the probation officer access to any requested financial information and shall authorize the release of that information to the U.S. Attorney's Office for use in connection with the collection of any outstanding fines and/or restitution.
- You shall submit to the search by the probation officer of your person, vehicle, office/business, residence and property, including any computer systems and hardware or software systems, electronic devices, telephones, and Internet-enable devices, including the data contained in any such items, whenever the probation officer has a reasonable suspicion that a violation of a condition of supervision or other unlawful conduct may have occurred or be underway involving you and that the area(s) to be searched may contain evidence of such violation or conduct. Other law enforcement may assist as necessary. You shall submit to the seizure of contraband found by the probation officer. You shall warn other occupants these locations may be subject to searches.
- You shall pay the costs associated with the following imposed conditions of supervised release, to the extent you are financially able to pay: mental health treatment. The probation officer shall determine your ability to pay and any schedule of payment.
- You shall pay to the United States a special assessment of \$1,200. Payment of the special assessment shall be due immediately and is to be made directly to the Clerk, U.S. District Court.

The defendant shall make restitution to the following victims for a total amount of \$64,894.00.

<b>Victim Name</b>	<b>Amount of Loss</b>
Verizon 11760 Olio Road Fishers, Indiana 46037	\$14,769.00
AT&T 4850 E. Southport Road, Suite L Indianapolis, Indiana 46237	\$10,000.00
Verizon (closed) 1950 Kessler Boulevard W. Drive, Suite B Indianapolis, Indiana 46228	\$6,260.00
T-Mobile 1560 E. 86th Street Indianapolis, Indiana 46240	\$1,025.00

T-Mobile (closed) 11725 Fox Road Indianapolis, Indiana 46236	\$7,200.00
T-Mobile 1155 East Stop 11 Road Indianapolis, Indiana 46227	\$3,400.00
T-Mobile 6929 West 38th Street Indianapolis, Indiana 46254	\$22,240.00

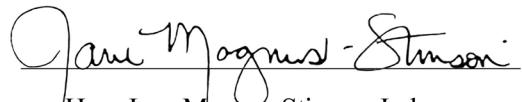
This case also involves co-defendants D'Maurah Bryant (-02) and Robdarius Williams (-03), and they should also be held jointly and severally liable for payment of all or part of the restitution ordered herein, and the Court may order such payment in the future. Payment is due immediately and is to be made directly to the Clerk, U.S. District Court, for disbursement to the victims. The defendant shall notify the United States Attorney for this district within 30 days of any change of mailing or residence address that occurs while any portion of the restitution remains unpaid. Any unpaid restitution balance shall be paid during the term of supervision at a rate of not less than 10% of the defendant's gross monthly income. The defendant shall notify the probation officer of any material change in economic circumstances that might affect the ability to pay restitution. The Court finds the defendant does not have the ability to pay interest and waives the interest requirement.

The Government orally moved to dismiss Counts 1, 11, 13, 15 and 17 of the Indictment [1]. The Court **GRANTED** said motion and Counts 1, 11, 13, 15 and 17 are **DISMISSED**.

The defendant was remanded to the custody of the U.S. Marshal.

The proceedings were adjourned.

Date: 9/10/2024



Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

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